



04-25-02

10016668-042202

MP/4

Date 4/22/02 Label No. EU028721855-US  
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#16

Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No.: 9373/1H812-US3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Zhen -Gang WANG et al.

Serial No.: 10/016,668

Art Unit: 1642

Confirmation No.: 3843

Filed: 10/26/2001

Examiner: To be assigned

For: GENE RECOMBINATION AND HYBRID PROTEIN DEVELOPMENT

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

COMPLETION OF PATENT APPLICATION

In response to the Notice to File Missing Parts of Nonprovisional  
Application (hereinafter referred to as "the Notice") mailed on February 22, 2002  
for the above captioned patent application, Applicants submit the following items  
for completion of the application:

1. [X] A check in the amount of **\$4,584.00** in payment of the filing and recordation fees (as estimated on the attached **Fee Computation Sheet**);
2. [X] A Declaration and Power of Attorney document, executed by the inventors Zhen-Gang Wang, Christopher A. Voigt, Stephen L. Mayo and Frances H. Arnold (3 pages);
3. [X] A return copy of the Notice to File Missing Parts;
4. [X] A Submission of Substitute Drawings (3 pages) accompanied by Exhibit A: substitute drawings for **FIGS. 2, 3, 4C, 4D, 7, 8, 9, 10, 12, 19 and 23** (on 10 sheets), Exhibit B: a redlined copy of the aforementioned drawings (on 7 sheets);
5. [X] A Preliminary Amendment Under 37 C.F.R. § 1.111 (9 pages), accompanied by Exhibit 1 (5 pages); and Exhibit 2 (29 pages)
6. [X] An Information Disclosure Statement (3 pages), accompanied by Form PTO-1449 (10 pages) and copies of references 91-112 cited therein;
7. [X] A Sequence Listing in paper and computer readable forms, pursuant to 37 C.F.R. § 1.821 (c) and (e) and § 1.824;and
8. [X] Pursuant to the requirements of 37 C.F.R. § 1.821 (f) and (g), the undersigned hereby states that the Sequence Listing submitted herewith contains no new matter and that the Sequence Listing

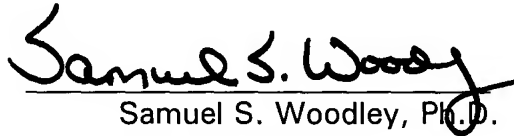
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information recorded in the submitted computer readable form is  
identical to the written Sequence Listing (*i.e.*, the paper copy)

It is believed that no additional fees are required for these submissions.  
However, should the U.S. Patent and Trademark Office determine that any  
additional fee is due or that a refund is owed for this application, the Commissioner  
is hereby authorized and requested to charge the fee(s) due or credit the refund(s)  
owed to Deposit Account No. 04-0100.

Respectfully submitted,

Dated: April 22, 2002

  
Samuel S. Woodley, Ph.D.  
Reg. No. 43,287  
Agent for Applicant(s)

**DARBY & DARBY P.C.**  
805 Third Avenue  
New York, NY 10022  
212-527-7700



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/016,668	10/26/2001	Zhen-Gang Wang	9373/1H812US3

CONFIRMATION NO. 3843

## FORMALITIES LETTER



\*OC00000007521427\*

DARBY & DARBY P.C.  
805 Third Avenue  
New York, NY 10022

Date Mailed: 02/22/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

04/26/2002 SFELEKE1 00000074 10016668

01 FC:101	740.00 OP
02 FC:102	924.00 OP
03 FC:103	2790.00 OP
04 FC:105	130.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$3714.
  - \$2790 for 155 total claims over 20.
  - \$924 for 11 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 4584.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- The Claim(s) commencing on a separate sheet (37 CFR 1.75(h)).
- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



EXPRESS MAIL CERTIFICATE

Date 4/22/02 Label No. 5028721855-43  
I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

B.W. LEE B.W. Lee  
Name (Print) Signature

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

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Art Unit: 1642

Confirmation No.: 3843

Filed: 10/26/2001

Examiner: To be assigned

For: GENE RECOMBINATION AND HYBRID PROTEIN DEVELOPMENT

SUBMISSION OF SUBSTITUTE DRAWINGS

Hon. Commissioner of Patents and Trademarks  
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts (hereinafter referred to as the "Notice") mailed on February 22, 2002 for the above-captioned patent application and in accordance with 37 C.F.R. 1.821-1.825 and 1.84, Applicants respectfully request authorization to amend the drawings as filed for this application.

The Notice indicates that the drawings as filed have been rejected under 37 C.F.R. § 1.84(e) because the previously submitted drawings are not electronically reproducible. In particular, Applicant understand that certain drawings submitted with the application as filed were too light to be electronically reproduced. In order to be fully responsive to the Notice, substitute drawings, which are darker and/ or of clearer print quality, are submitted herewith that are believed to be fully compliant with the requirements of 37 C.F.R. § 1.84(e). Specifically, darker and/or clearer print quality substitute drawings for FIGS. 2, 4C, 4D, 7, 8, 10, and 12, are submitted herewith at Exhibit Tab A. The drawings have been changed only to darken the drawings and do not introduce new matter to the application.

In addition, Applicant understand that certain drawings failed to comply with the requirements of 37 C.F.R. §1.84(o) in that they contain excessive text. In order to comply with 37 C.F.R. §1.84(o), substitute drawings without the excessive text are submitted herewith.

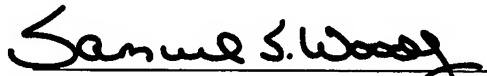
The Notice also indicates that the drawings as filed have been rejected under 37 C.F.R. 1.821-1.825. In order to be fully responsive to the Notice, a substitute drawing is submitted herewith that is believed to be fully compliant with the requirement of 37 C.F.R. 1.821-1.825 and 37 C.F.R. 1.84(0). The amino acid sequences of listed in **FIG. 3** have been given SEQ ID NOS 1-4. (In addition, the amino acid "Sequence Listings" are submitted herein with an amendment directing entry.)

Substitute drawings for FIGS. 3, 7, 8, 9-10, 12, 19 and 23, are submitted herewith at Exhibit Tab A. Redlined copies of these drawings are also attached hereto, at Exhibit Tab B. These redlined copies demonstrate that the drawings have been changed only to remove excessive text and do not introduce new matter to the application.

Reconsideration of the drawings for this application, in view of the substitute Figures submitted herewith is respectfully requested.

Respectfully submitted,

Dated: April 22, 2002



Samuel S. Woodley, Ph.D.  
Reg. No. 43,287  
Agent for Applicants

**DARBY & DARBY, P.C.**  
805 Third Avenue  
New York, N.Y. 10022  
Phone (212) 527-7700